

DEPARTMENT OF TRANSPORTATION

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January 30, 2002

10-SJ-5, 99-R19.5/R21.5;15.9/17.9
10-3A9004

Addendum No. 2

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SAN JOAQUIN COUNTY NEAR LATHROP ROUTE 5 FROM 0.4 km SOUTH OF TOM PAINE SLOUGH TO 0.6 km NORTH OF PARADISE CUT AND NEAR MANTECA ON ROUTE 99 FROM 1.1 km NORTH OF LATHROP ROAD TO 0.8 km SOUTH OF FRENCH CAMP ROAD.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on February 6, 2002.

This addendum is being issued to the Notice to Contractors and Special Provisions.

In the Special Provisions, Section 5-1.14, "ENDANGERED SPECIES REQUIREMENTS," is added as attached.

In the Special Provisions, Section 10-1.01, "ORDER OF WORK," the following paragraph is added after the third paragraph:

"Attention is directed to "Endangered Species Requirements" of these special provisions."

To Proposal and Contract book holders:

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it.

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Office Engineer

Attachment

5-1.14 ENDANGERED SPECIES REQUIREMENTS

There is the possibility of Swainson's hawk nesting within the project limits beginning March 1. Pre-construction surveys for Swainson's hawks shall be conducted by a Biologist prior to construction due to the potential for nesting within 0.8 km of the project area. Pre-construction surveys will be conducted no less than 10 days prior to the beginning of construction activities if construction is to take place during the active reproductive season. The Biologist will provide the results of the survey to the Engineer. The Engineer will provide the survey results to the Contractor within 3 days.

If nesting occurs, to avoid disturbance to the nesting site during incubation, nesting and the fledgling period (by equipment and construction activity), the Engineer will suspend all of the work until three weeks after the chicks have fledged, which is approximately mid-August. No discouraging of nesting will be allowed. No work shall be permitted in the vicinity of the nest until a Biologist has determined that nesting is complete. If nesting is complete then no work shall occur until a Biologist has determined that the young have fledged the nest. The State will provide a Biologist.

The days on which the suspensions are in effect shall not be considered working days as defined in Section 8-1.06, "Time of Completion," of the Standard Specifications.

The Contractor shall have no claim for damage or compensation for any delay or hindrance caused by the suspension for Swainson's hawk.